UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 3:11-cy-00413-FDW¹

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)	<u>ORDER</u>
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THIS MATTER is before the Court upon Plaintiff's "Application to Proceed in District Court Without Prepaying Fees or Costs," filed August 30, 2011. (Doc. No. 2.) Previously, the Court dismissed that motion without prejudice to give Plaintiff an opportunity to clarify Plaintiff's financial status.

The Court has not received a new motion requesting to proceed without prepaying fees or costs to clarify the Plaintiff's financial status. The Court has also not received the required filing fee. If Plaintiff does not remit payment or a clarifying motion to proceed without prepaying fees or costs within 21 days, the Court is prepared to dismiss this action without prejudice. This order serves as Plaintiff's only warning.

IT IS, THEREFORE, ORDERED THAT Plaintiff either file a new motion to proceed without prepaying fees or costs or remit the required filing fee.

¹ This Order has been signed by the Honorable Graham C. Mullen, Senior United States District Judge, as the Honorable Frank D. Whitney currently is out of the district for an extended period. <u>See</u> 3:11mc67-W, Doc. 1.

Signed: September 21, 2011

Graham C. Mullen United States District Judge